



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE

1011 E. Tudor Road
Anchorage, Alaska 99503-6199



AFES/MMM

FEB 1 2008

Mr. Bruce St. Pierre
Senior Environmental Coordinator
ConocoPhillips Alaska
P.O. Box 100360
Anchorage, Alaska 99510-0360

Dear Mr. St. Pierre:

This responds to your request dated, November 12, 2007, for a Letter of Authorization (LOA) for the incidental take of polar bears on the North Slope of Alaska in association with the 2008 ConocoPhillips Alaska, Inc. (CPAI) exploration program. Enclosed are LOAs (08-04 and 08-05) for ConocoPhillips' Exploration Program – Char 1 and Spark Down Dip 9, respectively. These will allow CPAI to take small numbers of polar bears incidental to oil and gas industry exploration activities at the above location identified in your LOA request. The proposed start date for these projects is late January 2008. The CPAI North Slope, NPR-A Exploration Program has 2 components:

1. construction of exploration drill pads for each project area; the construction of a ice roads and a rolligon trail system to access each project area, which includes spur roads to support exploration activities, and;
2. the mobilization, drilling, and demobilization of one or two drilling rigs to support exploration activities within the project areas.

The U.S. Fish and Wildlife Service (Service) believes that protection measures for polar bears described in CPAI's December 2007 ConocoPhillips' Polar Bear Avoidance and Interaction Plan contains appropriate safeguards to limit human/animal interactions. The CPAI field camps and personnel can limit encounters of polar bears by being observant of approaching animals (i.e., the use of polar bear guards) and breaking off interactions, if practicable, by allowing the animals to continue their travel. The Service biologists are available for consultation if questions or concerns arise regarding polar bears during the project period at the phone numbers listed below and noted in your interaction plan.

Polar bear conservation has benefited from monitoring programs associated with the Incidental Take Program since 1993. Monitoring serves to assess the effect of industrial activities on polar bears by evaluating trends and effects of bear encounter rates, take frequency, as well as the location and timing of encounters. Additionally through monitoring, the Service seeks to limit

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disturbance to maternal polar bear den sites, both known dens and those areas that could possibly be preferred by denning polar bears. Although most denning by polar bears is located near the coastline, in 2005, a polar bear successfully used a den approximately 40 miles inland from the coast. Use caution when operating near these areas during the maternal denning period (mid November to mid April). The U.S. Geological Survey has posted information regarding polar bear denning habitat on the Alaska Science Center (ASC) website, plus associated documents. The den habitat map (ARC/INFO export file), the mapping manuscript (PDF file) and a picture of den habitat (JPG file) are available on the ASC website (<http://www.absc.usgs.gov/dataproducts.htm>). Please use these resources when planning activities in potential denning areas and contact us immediately if any dens are found during oil and gas activities.

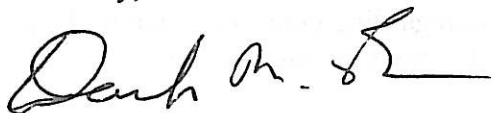
Furthermore, CPAI will provide copies of the polar bear observation form to all CPAI contractors operating under the LOA. Report any polar bear sightings, or signs of polar bears, such as tracks, scat, or diggings, to this office by phone or using the polar bear observation form. Report any possible den locations that are found during work activities immediately to our office. In addition, Service biologists are available for consultation if questions or concerns arise during the project period at the phone numbers listed below and noted in your interaction plan.

As a precondition to the Char 1 LOA (08-04), on December 7, 2007, a FLIR (Forward Looking Infrared) survey flight was conducted along the proposed ice road route to the exploratory site, Char 1, and the production sites, CD-3 and CD-4, to identify any potential polar bear dens within the project areas. This flight also surveyed the proposed Colville River ice road crossing near Ocean Point and snow fence construction areas near 3H and 3K pads in the Kuparuk River Unit.

For CPAI's described exploratory program the Service designated the Char 1 site as the primary exploratory site in need of a FLIR survey due to its location on the Colville River Delta. The FLIR survey investigated den habitat within a 1-mile envelope along the Char 1 ice road corridor and drilling pad site. This survey was a cooperative effort between the CPAI and the Service. No polar bear dens were identified during this survey within the defined survey area around the Char1 and CD-3 sites. Likewise, no polar bear dens were identified in the other survey areas.

This authorization is issued in accordance with our regulations listed at 71 FR 43926, dated August 2, 2006. Please review these regulations. Should you have any further questions contact Mr. Craig Perham of our Marine Mammals Management Office, at (907) 786-3800 or 786-3810.

Sincerely,

A handwritten signature in dark ink, appearing to read "Rosa Meehan", with a stylized flourish at the end.

Rosa Meehan, Ph.D.

Chief, Marine Mammals Management

Enclosures

Mr. Bruce St. Pierre

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cc: Ms. Caryn Rea, CPAI
Mr. Richard Shideler, ADF&G
USFWS Office of Law Enforcement (OLE)
FFWFO



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ISSUED: January 29, 2008

EXPIRES: May 31, 2008

LETTER OF AUTHORIZATION (08-04)

ConocoPhillips Alaska, Inc. (CPAI) is hereby authorized to take small numbers of polar bears incidental to activities occurring during the Char 1 Exploration Program. This includes, but is not limited to, all activities associated with the work at the exploratory drill site and travel corridors. The Char 1 Exploration Program includes the construction of one exploration drill pad to support one or more exploration wells and the mobilization, drilling, and demobilization of one drilling rig to support exploration activities. These activities are discussed in detail in the, "Plan of Exploration, North Slope Alaska Exploration Program Char #1 Exploration Site."

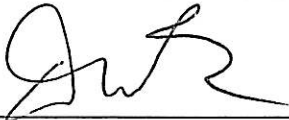
This authorization and the required conditions below include contractors of CPAI performing CPAI-approved work under the scope of operations to be conducted. Authorization is subject to the following conditions:

1. The CPAI Polar Bear Avoidance and Interaction Plan, December 2007, is approved and all provisions must be complied with unless specifically noted otherwise in this Letter of Authorization. A copy of this polar bear interaction plan must be available on site for all personnel.
2. CPAI Operations Managers, or their designates, must be fully aware, understand, and capable of implementing the conditions of this authorization.
3. Intentional take is prohibited under this authorization.
4. This authorization is valid only for those activities identified in the request for a Letter of Authorization dated November 12, 2007.
5. Polar bear monitoring, reporting, and survey activities will be conducted in accordance with 50 CFR 18, section 18.128. The basic monitoring and reporting requirements follow:



- CPAI must cooperate with the U.S. Fish and Wildlife Service (Service), and other designated Federal, State, or local agencies to monitor the impacts of oil and gas exploration activities on polar bears;
- CPAI must not conduct activities that operate nor pass within 1 mile of known polar bear dens, and all observed dens must be reported to the Marine Mammals Management Office, Fish and Wildlife Service within 12 hours of discovery. Should occupied dens be identified within one mile of activities, work within a one-mile area will cease and Service must be contacted for guidance. The Service will evaluate these instances on a case-by-case basis to determine the appropriate action. Potential actions may range from cessation or modification of work to conducting additional monitoring, and CPAI must comply with any additional measures specified.
- CPAI must designate a qualified individual or individuals to observe, record, and report the effects of the activity on polar bears to the Service within 24 hours of visual observation;
- CPAI must allow the Fish and Wildlife Service to allow an observer on the site to monitor the impacts of the activity on polar bears, at the discretion of the Fish and Wildlife Service;
- CPAI must submit an annual monitoring report to the Marine Mammals Management Office as required under 18 CFR 18.128(f), which will be received up to 90 days after the expiration date of the LOA (by August 31, 2008).

6. This authorization expires May 31, 2008.



Chief, Marine Mammals Management

2/1/08

Date



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ISSUED: January 29, 2008

EXPIRES: May 31, 2008

LETTER OF AUTHORIZATION (08-05)

ConocoPhillips Alaska, Inc. (CPAI) is hereby authorized to take small numbers of polar bears incidental to activities occurring during the Spark Down Dip 9 Exploration Project. This includes, but is not limited to, all activities associated with the work at the exploratory drill site and travel corridors. The Spark Down Dip 9 Exploration Program includes the construction of one exploration drill pad to support one or more exploration wells and the mobilization, drilling, and demobilization of one drilling rig to support exploration activities. In addition, the Rendezvous 2 Well Testing Program is also included in this LOA. This includes a hydraulic fracture mapping project (surface tiltmeter fracture mapping). These activities are discussed in detail in the, "Plan of Exploration, North Slope National Petroleum Reserve-Alaska Exploration Program, 2006-2011 Winter Exploration Drilling and Well Testing Spark Down Dip 9, Exploration Site & 2007 Rendezvous 2 Well Testing Program."

This authorization and the required conditions below include contractors of CPAI performing CPAI-approved work under the scope of operations to be conducted. Authorization is subject to the following conditions:

1. The CPAI Polar Bear Avoidance and Interaction Plan, December 2007, is approved and all provisions must be complied with unless specifically noted otherwise in this Letter of Authorization. A copy of this polar bear interaction plan must be available on site for all personnel.
2. CPAI Operations Managers, or their designates, must be fully aware, understand, and capable of implementing the conditions of this authorization.
3. Intentional take is prohibited under this authorization.
4. This authorization is valid only for those activities identified in the request for a Letter of Authorization dated November 12, 2007.



5. Polar bear monitoring, reporting, and survey activities will be conducted in accordance with 50 CFR 18, section 18.128. The basic monitoring and reporting requirements follow:

- CPAI must cooperate with the U.S. Fish and Wildlife Service (Service), and other designated Federal, State, or local agencies to monitor the impacts of oil and gas exploration activities on polar bears;
- CPAI must not conduct activities that operate nor pass within 1 mile of known polar bear dens, and all observed dens must be reported to the Marine Mammals Management Office, Fish and Wildlife Service within 12 hours of discovery. Should occupied dens be identified within one mile of activities, work within a one-mile area will cease and Service must be contacted for guidance. The Service will evaluate these instances on a case-by-case basis to determine the appropriate action. Potential actions may range from cessation or modification of work to conducting additional monitoring, and CPAI must comply with any additional measures specified.
- CPAI must designate a qualified individual or individuals to observe, record, and report the effects of the activity on polar bears to the Service within 24 hours of visual observation;
- CPAI must allow the Fish and Wildlife Service to allow an observer on the site to monitor the impacts of the activity on polar bears, at the discretion of the Fish and Wildlife Service;
- CPAI must submit an annual monitoring report to the Marine Mammals Management Office as required under 18 CFR 18.128(f), which will be received up to 90 days after the expiration date of the LOA (by August 31, 2008).

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